

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
LOS ANGELES REGION**

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**ORDER R4-2018-0xxx  
NPDES NO. CA0053961**

**WASTE DISCHARGE REQUIREMENTS  
FOR THE OJAI VALLEY SANITARY DISTRICT  
OJAI VALLEY WASTEWATER TREATMENT PLANT  
DISCHARGE TO THE VENTURA RIVER VIA OUTFALL 001**

The following Discharger is subject to waste discharge requirements (WDRs) set forth in this Order:

**Table 1. Discharger Information**

Discharger/Permittee	Ojai Valley Sanitary District (Discharger or Permittee)
Name of Facility	Ojai Valley Wastewater Treatment Plant (Ojai Valley WWTP or Facility) and its associated wastewater collection system and outfall
Facility Address	6363 North Ventura Avenue
	Ventura, CA 93001
	Ventura County

**Table 2. Discharge Location**

Discharge Point	Discharge Description	Discharge Point Latitude (North)	Discharge Point Longitude (West)	Receiving Water
001	Tertiary treated wastewater	34.34250°	119.29056°	Ventura River Reach 2

**Table 3. Administrative Information**

This Order was adopted on:	December 13, 2018
This Order shall become effective on:	February 1, 2019
This Order shall expire on:	January 31, 2024
The Discharger shall file a Report of Waste Discharge as an application for reissuance of WDRs in accordance with title 23, California Code of Regulations, and an application for reissuance of a National Pollutant Discharge Elimination System (NPDES) permit no later than:	180 days prior to the Order expiration date
The U.S. Environmental Protection Agency (U.S. EPA) and the California Regional Water Quality Control Board, Los Angeles Region have classified this discharge as follows:	Major

I, Deborah J. Smith, Executive Officer, do hereby certify that this Order with all attachments is a full, true, and correct copy of the Order adopted by the California Regional Water Quality Control Board, Los Angeles Region, on the date indicated above.

\_\_\_\_\_  
Deborah J. Smith, Executive Officer

Tentative Permit: 10/17/2018

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## I. FACILITY INFORMATION

Information describing the Ojai Valley Wastewater Treatment Plant (Ojai Valley WWTP or Facility) is summarized in Table 1 and in sections I and II of the Fact Sheet (Attachment F). Section I of the Fact Sheet also includes information regarding the Facility's permit application.

## II. FINDINGS

The California Regional Water Quality Control Board, Los Angeles Region (Regional Water Board), finds:

- A. **Legal Authorities.** This Order serves as waste discharge requirements (WDRs) pursuant to article 4, chapter 4, division 7 of the California Water Code (CWC) (commencing with section 13260). This Order is also issued pursuant to section 402 of the federal Clean Water Act (CWA) and implementing regulations adopted by the U.S. EPA and chapter 5.5, division 7 of the Water Code (commencing with section 13370). It shall serve as a National Pollutant Discharge Elimination System (NPDES) permit authorizing the Discharger to discharge into waters of the United States at the discharge location described in Table 2 subject to the WDRs in this Order.
- B. **Background and Rationale for Requirements.** The Regional Water Board developed the requirements in this Order based on information submitted as part of the application, through monitoring and reporting programs, and other available information. The Fact Sheet (Attachment F), which contains background information and rationale for the requirements in this Order, is hereby incorporated into and constitutes Findings for this Order. Attachments A through E and G through I are also incorporated into this Order.
- C. **Provisions and Requirements Implementing State Law.** The provisions/requirements in subsection V.B are included to implement state law only. These provisions/requirements are not mandated or authorized under the federal CWA; consequently, violations of these provisions/requirements are not subject to the enforcement remedies available for NPDES violations.
- D. **Notification of Interested Parties.** The Regional Water Board has notified the Discharger and interested agencies and persons of its intent to prescribe WDRs for the discharge and has provided them with an opportunity to submit their written comments and recommendations. Details of the notification are provided in the Fact Sheet.
- E. **Consideration of Public Comment.** The Regional Water Board, in a public hearing, heard and considered all comments pertaining to the discharge. Details of the Public Hearing are provided in the Fact Sheet.

**THEREFORE, IT IS HEREBY ORDERED** that this Order supersedes Order R4-2013-0173 except for enforcement purposes and in order to meet the provisions contained in division 7 of the Water Code (commencing with section 13000) and regulations adopted thereunder and the provisions of the CWA and regulations and guidelines adopted thereunder, the Discharger shall comply with the requirements in this Order. This action in no way prevents the Regional Water Board from taking enforcement action for violations of the previous Order.

## III. DISCHARGE PROHIBITIONS

- A. Discharge of wastewater at a location different from that described in this Order is prohibited.

- B. The bypass or overflow of untreated wastewater or wastes to surface waters or surface water drainage courses is prohibited, except as allowed in Standard Provision I.G. of Attachment D, Standard Provisions.
- C. The monthly average effluent dry weather discharge flow rate from the facility shall not exceed the 3 million gallons per day (MGD) design capacity.
- D. The Permittee shall not cause degradation of any water supply, except as consistent with State Water Resources Control Board (State Water Board) Resolution No. 68-16.
- E. The treatment or disposal of wastes from the facility shall not cause pollution or nuisance as defined in section 13050, subdivisions (l) and (m), of the CWC.
- F. The discharge of any substances in concentrations toxic to animals or plants is prohibited.
- G. The discharge of any radiological, chemical, or biological warfare agent or high level radiological waste is prohibited.

#### IV. EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

##### A. Effluent Limitations – Discharge Point 001

##### 1. Final Effluent Limitations – Discharge Point 001

- a. The Discharger shall maintain compliance with the following effluent limitations at Discharge Point 001, into the Ventura River, with compliance measured at Monitoring Location EFF-001 as described in the MRP, Attachment E:

**Table 4. Effluent Limitations**

Parameter	Units	Effluent Limitations					
		Average Monthly	Average Weekly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum	Average Seasonal
Biochemical Oxygen Demand (BOD <sub>5</sub> 20°C)	mg/L	10	--	15			
	lbs/day <sup>1</sup>	250	--	380			
Total Suspended Solids (TSS)	mg/L	10	--	15			
	lbs/day <sup>1</sup>	250	--	380			
Turbidity <sup>2</sup>	NTU	Average Daily	--	5 <sup>2</sup>	--	10 <sup>2</sup>	
		2 <sup>2</sup>					
pH	standard units	--	--	--	6.5	8.5	

<sup>1</sup> The mass emission rates are based on the plant design flow rate of 3 MGD, and are calculated as follows: Flow (MGD) x Concentration (mg/L) x 8.34 (conversion factor) = lbs/day. During wet-weather storm events in which the flow exceeds the design capacity, the mass discharge rate limitations shall not apply, and concentration limitations will provide the only applicable effluent limitations.

<sup>2</sup> For the protection of the water contact recreation beneficial use, the wastes discharged to water courses shall have received adequate treatment, so that the turbidity of the treated wastewater does not exceed any of the following: (a) an average of 2 Nephelometric turbidity units (NTUs) within a 24-hour period; (b) 5 NTUs more than 5 percent of the time (72 minutes) within a 24-hour period; and (c) 10 NTU at any time.

Parameter	Units	Effluent Limitations					
		Average Monthly	Average Weekly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum	Average Seasonal
Temperature	°F	--	--	86 <sup>3</sup>			
Radioactivity <sup>4</sup>							
Combined Radium-226 and Radium 228	pCi/L	5 <sup>4</sup>					
Gross Alpha particle activity (excluding radon and uranium)	pCi/L	15 <sup>4</sup>					
Uranium	pCi/L	20 <sup>4</sup>					
Gross Beta/photon emitters	millirem/year	4 <sup>4</sup>					
Strontium-90	pCi/L	8 <sup>4</sup>					
Tritium	pCi/L	20,000 <sup>4</sup>					
Total coliform <sup>5</sup>	MPN or CFU/100 mL	23 <sup>5</sup>	2.2 <sup>5</sup>	240 <sup>5</sup>			
Removal Efficiency for BOD	%	≥85	--	--			
Removal Efficiency for TSS	%	≥85	--	--			
Oil and Grease	mg/L	10	--	15			
	lbs/day <sup>1</sup>	250	--	380			
Settleable Solids	ml/L	0.1	--	0.2			
Total Residual Chlorine	mg/L	--	--	0.1			
Total Dissolved Solids	mg/L	1,500	--	--			
	lbs/day <sup>1</sup>	38,000	--	--			

<sup>3</sup> The temperature of wastes discharged shall not exceed 86°F except as a result of external ambient temperature.

<sup>4</sup> The radioactivity of the wastes discharged shall not exceed the limits specified in Title 22, chapter 15, article 5, sections 64442 and 64443, of the California Code of Regulations (CCR), or subsequent revisions.

<sup>5</sup> The wastes discharged to water courses shall at all times be adequately disinfected. For the purpose of this requirement, the wastes collected at the end of the ultraviolet (UV) channel during normal operation when the UV system is in use, and at the end of the chlorine contact chamber when the back up method is used shall be considered adequately disinfected if: (1) the median number of total coliform bacteria in the disinfected effluent does not exceed a 7-day median of 2.2 Most Probable Number (MPN) or Colony Forming Unit (CFU) per 100 milliliters utilizing the bacteriological results of the last seven (7) days for which an analysis has been completed, (2) the number of total coliform bacteria does not exceed 23 MPN or CFU per 100 milliliters in more than one sample within any 30-day period, and (3) no sample shall exceed 240 MPN or CFU of total coliform bacteria per 100 milliliters. Samples shall be collected at a time when wastewater flow and characteristics are most demanding on treatment facilities and disinfection processes.

Parameter	Units	Effluent Limitations					
		Average Monthly	Average Weekly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum	Average Seasonal
Sulfate	mg/L	500	--	--			
	lbs/day <sup>1</sup>	13,000	--	--			
Chloride	mg/L	300	--	--			
	lbs/day <sup>1</sup>	7,500	--	--			
Boron	mg/L	1.5	--	--			
	lbs/day <sup>1</sup>	38.0	--	--			
MBAS	mg/L	0.5	--	--			
	lbs/day <sup>1</sup>	13.0	--	--			
Selenium	µg/L	3.4	--	9.2			
	lbs/day <sup>1</sup>	0.09	--	0.23			
Ammonia Nitrogen <sup>6</sup>	mg/L	1.9	--	4.6			
	lbs/day <sup>1</sup>	48	--	120			
Nitrate + Nitrite (as N)	mg/L	--	--	10			
	lbs/day <sup>1</sup>	--	--	251			
Nitrite (as N)	mg/L	--	--	1			
	lbs/day <sup>1</sup>	--	--	25			
Total Phosphorus (wet-weather) <sup>7</sup>	mg/L	--	--	2.6	--	--	--
Total Phosphorus (dry-weather) <sup>7</sup>	lbs/dry-weather	--	--	--	--	--	5,799
Total Nitrogen (summer season) <sup>8</sup>	lbs/season	--	--	--	--	--	8,044
Total Nitrogen (winter season) <sup>9</sup>	mg/L	4.6	--	--	--	--	--

<sup>6</sup> The ammonia nitrogen effluent limitation is the translated effluent limitation based on the water quality objective for ammonia in the current Basin Plan, Table 3-1 and Table 3-2, which resulted from Resolution No. 2002-011, and 2005-014 adopted by the Regional Water Board on April 25, 2002, and December 1, 2005, respectively. This effluent limitation is derived according to the Implementation section of Resolution No. 2002-011. These effluent limitations are carried over from previous permit to prevent backsliding.

<sup>7</sup> Total Phosphorus (TP) wet-weather and dry-weather final effluent limitations shall apply on the effective date of this permit. For the purposes of monitoring, wet-weather occurs when a rainfall event produces more than 0.25 inches of precipitation. The amount of rainfall shall be measured at the Ventura – Kingston Rain Gage D 122.

<sup>8</sup> TN summer season final effluent limitation shall apply 12 years after the effective date of TMDL. The summer season final effluent limitation shall apply from May 1 to September 30.

<sup>9</sup> TN winter season final effluent limitation shall apply 12 years after the effective date of TMDL. The winter season final effluent limitation shall apply from October 1 to April 30.

Parameter	Units	Effluent Limitations					
		Average Monthly	Average Weekly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum	Average Seasonal
Chronic Toxicity <sup>10,11</sup>	Pass or Fail, % Effect (Test of Significant Toxicity, (TST))	Pass <sup>12</sup>		Pass or % Effect <50			

- b. To protect the underlying ground water basins, pollutants shall not be present in the wastes discharged at concentrations that pose a threat to ground water quality.

## 2. Interim Effluent Limitations – Discharge Point 001

During the period beginning on the effective date of this permit and ending on 12 years after the effective date of the Ventura River and Tributaries Algae, Eutrophic Conditions, and Nutrients (Ventura River Nutrients) Total Maximum Daily Load (TMDL),<sup>13</sup> the Discharger shall maintain compliance with the interim effluent limitation for total nitrogen (TN) at Discharge Point 001, with compliance measured at Monitoring Location EFF-001 as described in the attached MRP. The interim effluent limitation shall apply all year round and shall remain in effect until the TN final effluent limitations become effective in twelve years.

**Table 5. Interim Effluent Limitations**

Parameter	Units	Effluent Limitations				
		Average Monthly	Average Weekly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
Total Nitrogen	mg/L	7.6	--	--		

<sup>10</sup> The median monthly effluent limitation (MMEL) shall be reported as "Pass" or "Fail." The maximum daily effluent limitation (MDEL) shall be reported as "Pass" or "Fail" and "% Effect." The MMEL for chronic toxicity shall only apply when there is a discharge on more than one day in a calendar month period. During such calendar months, up to three independent toxicity tests may be conducted when one toxicity test results in "Fail."

<sup>11</sup> A numeric WQBEL is established because effluent data showed that there is reasonable potential for the effluent to cause or contribute to an exceedance of the chronic toxicity water quality objective. The Chronic Toxicity final effluent limitation is protective of both the numeric acute toxicity and the narrative toxicity Basin Plan water quality objectives. These final effluent limitations will be implemented using the *Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms* (USEPA 2002, EPA-821-R-02-013), current USEPA guidance in *National Pollutant Discharge Elimination System Test of Significant Toxicity Implementation Document* (EPA 833-R-10-003, June /2010) and *EPA Regions 8, 9, and 10 Toxicity Training Tool* (January 2010), <http://www2.epa.gov/region8/epa-regions-8-9-and-10-toxicity-training-tool-january-2010>.

<sup>12</sup> This is a Median Monthly Effluent Limitation.

<sup>13</sup> The effective date of the Ventura River Nutrients TMDL is June 28, 2013.

**B. Land Discharge Specifications – Not Applicable**

**V. RECEIVING WATER LIMITATIONS**

**A. Surface Water Limitations**

Receiving water limitations are based on water quality objectives (WQOs) contained in the Basin Plan and are a required part of this Order. The discharge shall not cause the following in Ventura River:

1. For waters designated with a warm freshwater habitat (WARM) beneficial use, the temperature of the receiving water at any time or place and within any given 24-hour period shall not be altered by more than 5°F above the natural temperature and shall not be raised above 86°F due to the discharge of effluent at the receiving water station located downstream of the discharge. Natural conditions shall be determined on a case-by-case basis.  
  
If the receiving water temperature, downstream of the discharge, exceeds 86°F as a result of the following:
  - a. High temperature in the ambient air; or,
  - b. High temperature in the receiving water upstream of the discharge,then the exceedance shall not be considered a violation.
2. The pH of inland surface waters shall not be depressed below 6.5 or raised above 8.5 as a result of wastes discharged. Ambient pH levels shall not be changed more than 0.5 units from natural conditions as a result of wastes discharged. Natural conditions shall be determined on a case-by-case basis.
3. The dissolved oxygen in the receiving water shall not be depressed below 7 mg/L as a result of wastes discharged.
4. The total residual chlorine shall not exceed 0.1 mg/L in the receiving waters and shall not persist in the receiving water at any concentration that causes impairment of beneficial uses as a result of wastes discharged.
5. The *Escherichia coli* (E. coli) concentration in the receiving water shall not exceed the following, as a result of wastes discharged:
  - a. Geometric Mean Limits  
E. coli density shall not exceed 126/100 mL.
  - b. Single Sample Limits  
E. coli density shall not exceed 235/100 mL.
6. Waters shall be free of changes in turbidity that cause nuisance or adversely affect beneficial uses. Increases in natural turbidity attributable to controllable water quality factors shall not exceed the following limits, as a result of wastes discharged.:
  - a. Where natural turbidity is between 0 and 50 NTU, increases shall not exceed 20%.
  - b. Where natural turbidity is greater than 50 NTU, increases shall not exceed 10%.
7. The wastes discharged shall not produce concentrations of substances in the receiving water that are toxic to or cause detrimental physiological responses in human, animal, or aquatic life.



8. The wastes discharged shall not cause concentrations of contaminants to occur at levels that are harmful to human health in waters which are existing or potential sources of drinking water.
9. The concentrations of toxic pollutants in the water column, sediments, or biota shall not adversely affect beneficial uses as a result of wastes discharged.
10. The wastes discharged shall not contain substances that result in increases in BOD, which adversely affect the beneficial uses of the receiving waters.
11. The wastes discharged shall not contain biostimulatory substances in concentrations that promote aquatic growth to the extent that such growth causes nuisance or adversely affects beneficial uses.
12. The dissolved sulfide concentration of waters in and near sediments shall not be significantly increased above that present under natural conditions as a result of wastes discharged.
13. The wastes discharged shall not cause the receiving waters to contain any substance in concentrations that adversely affect any designated beneficial use.
14. The wastes discharged shall not degrade surface water communities and populations, including vertebrate, invertebrate, and plant species.
15. The wastes discharged shall not alter the natural taste, odor, or color of fish, shellfish, or other surface water resources used for human consumption.
16. The wastes discharged shall not result in problems due to breeding of mosquitoes, gnats, black flies, midges, or other pests.
17. The wastes discharged shall not result in visible floating particulates, foams, or oil and grease in the receiving waters.
18. The wastes discharged shall not cause objectionable aquatic growths or degrade indigenous biota.
19. The wastes discharged shall not alter the color of the receiving waters; create a visual contrast with the natural appearance of the water; or cause aesthetically undesirable discoloration of the receiving waters.
20. No physical evidence of wastes discharged shall be visible at any time in the water or on beaches, shores, rocks, or structures.
21. The wastes discharged shall not contain any individual pesticide or combination of pesticides in concentrations that adversely affect beneficial uses of the receiving waters. There shall be no increase in pesticide concentrations found in bottom sediments or aquatic life as a result of wastes discharged.
22. The natural hydrologic conditions necessary to support the physical, chemical, and biological characteristics present in wetlands shall be protected to prevent significant adverse effects on: (a) natural temperature, pH, dissolved oxygen, and other natural physical and chemical conditions; (b) movement of aquatic fauna; (c) survival and reproduction of aquatic flora and fauna; and (d) water levels.
23. The existing habitats and associated populations of wetlands fauna and flora shall be maintained by (a) maintaining substrate characteristics necessary to support flora and fauna, which would be present naturally; (b) protecting food supplies for fish and wildlife; (c) protecting reproductive and nursery areas; and, (d) protecting wildlife corridors.

24. Ammonia shall not be present at levels that, when oxidized to nitrate, pose a threat to groundwater quality.
25. Chronic Toxicity Narrative Receiving Water Quality Objective
  - a. There shall be no chronic toxicity in ambient waters as a result of wastes discharged.
  - b. Receiving water and effluent toxicity testing shall be performed on the same day as close to concurrently as possible.
  - c. If the chronic toxicity median monthly threshold at the immediate downstream receiving water location is not met and the toxicity cannot be attributed to upstream toxicity, as assessed by the Permittee, then the Permittee shall initiate accelerated monitoring according to Attachment E – MRP section V.A.7.
  - d. If the chronic toxicity median monthly threshold of the receiving water at both upstream and downstream stations is not met, but the effluent chronic toxicity median monthly effluent limitation was met, then accelerated monitoring need not be implemented.
26. The wastes discharged shall not cause the ammonia water quality objective in the Basin Plan to be exceeded in the receiving waters. Compliance with the ammonia water quality objectives shall be determined by comparing the receiving water ammonia concentration to the ammonia water quality objective in the Basin Plan. The ammonia water quality objective can also be calculated using the pH and temperature of the receiving water at the time of collection of the ammonia sample.

#### **B. Groundwater Limitations**

The discharge shall not cause the underlying groundwater to be degraded except as consistent with State Water Board Resolution No. 68-16. The discharge to groundwater shall not exceed WQOs, unreasonably affect beneficial uses, or cause a condition of pollution or nuisance.

### **VI. PROVISIONS**

#### **A. Standard Provisions**

1. The Discharger shall comply with all Standard Provisions included in Attachment D.
2. **Regional Water Board Standard Provisions.** The Permittee shall comply with the following provisions. In the event that there is any conflict, duplication, or overlap between provisions specified by this Order, the more stringent provision shall apply:
  - a. Neither the treatment nor the discharge of pollutants shall create a pollution, contamination, or nuisance as defined by section 13050 of the CWC.
  - b. Odors, vectors, and other nuisances of sewage or sludge origin beyond the limits of the treatment plant site or the sewage collection system due to improper operation of facilities, as determined by the Regional Water Board, are prohibited.
  - c. All facilities used for collection, transport, treatment, or disposal of wastes shall be adequately protected against damage resulting from overflow, washout, or inundation from a storm or flood having a recurrence interval of once in 100 years.
  - d. Collection, treatment, and disposal systems shall be operated in a manner that precludes public contact with wastewater.

- e. Collected screenings, sludges, and other solids removed from liquid wastes shall be disposed of in a manner approved by the Executive Officer of the Regional Water Board.
- f. The provisions of this order are severable. If any provision of this Order is found invalid, the remainder of this Order shall not be affected.
- g. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the Permittee from any responsibilities, liabilities or penalties established pursuant to any applicable state law or regulation under authority preserved by section 510 of the CWA, related to oil and hazardous substances liability.
- h. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the Permittee from any responsibilities, liabilities or penalties to which the Permittee is or may be subject to under section 311 of the CWA, related to oil and hazardous substances liability.
- i. The Discharger must comply with the lawful requirements of municipalities, counties, drainage districts, and other local agencies regarding discharges of storm water to storm drain systems or other water courses under their jurisdiction, including applicable requirements in municipal storm water management programs developed to comply with NPDES permits issued by the Regional Water Board to local agencies.
- j. Discharge of wastes to any point other than specifically described in this Order is prohibited and constitutes a violation thereof.
- k. The Permittee shall comply with all applicable effluent limitations, national standards of performance, toxic effluent standards, and all federal regulations established pursuant to sections 301, 302, 303(d), 304, 306, 307, 316, 403, and 405 of the federal CWA and amendments thereto.
- l. These requirements do not exempt the operator of the facility from compliance with any other laws, regulations, or ordinances which may be applicable; they do not legalize this facility; and they leave unaffected any further restraints on the disposal of wastes at this site which may be contained in other statutes or required by other agencies.
- m. Oil or oily material, chemicals, refuse, or other polluting materials shall not be stored or deposited in areas where they may be picked up by rainfall and carried off of the property and/or discharged to surface waters. Any such spill of such materials shall be contained and removed immediately.
- n. A copy of these waste discharge specifications shall be maintained at the discharge Facility so as to be available at all times to operating personnel.
- o. If there is any storage of hazardous or toxic materials or hydrocarbons at this Facility and if the Facility is not manned at all times, a 24-hour emergency response telephone number shall be prominently posted where it can easily be read from the outside.
- p. The Permittee shall file with the Regional Water Board a report of waste discharge at least 120 days before making any proposed change in the character, location or volume of the discharge.

- q. In the event of any change in name, ownership, or control of these waste disposal facilities, the Permittee shall notify the Regional Water Board of such change and shall notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be forwarded to the Regional Water Board, 30 days prior to taking effect.
- r. The discharge of any waste resulting from the combustion of toxic or hazardous wastes to any waste stream that ultimately discharges to waters of the United States is prohibited, unless specifically authorized elsewhere in this Order.
- s. The Permittee shall notify the Executive Officer in writing no later than 6 months prior to planned discharge of any chemical, other than the products previously reported to the Executive Officer, which may be toxic to aquatic life. Such notification shall include:
  - i. Name and general composition of the chemical,
  - ii. Frequency of use,
  - iii. Quantities to be used,
  - iv. Proposed discharge concentrations, and
  - v. USEPA registration number, if applicable
- t. CWC section 13385 provides that any person who violates a waste discharge requirement or a provision of the CWC is subject to civil penalties of up to \$5,000 per day, \$10,000 per day, or \$25,000 per day of violation; or, when the violation involves the discharge of pollutants, any such person is subject to civil penalties of up to \$10 per gallon per day or \$25 per gallon per day of violation, or some combination thereof, depending on the violation, or upon the combination of violations. Violation of any of the provisions of this Order may subject the Permittee to any of the penalties described herein or in Attachment D of this Order, or any combination thereof, at the discretion of the prosecuting authority; except that only one kind of penalty may be applied for each kind of violation.
- u. Failure to comply with provisions or requirements of this Order, or violation of other applicable laws or regulations governing discharges from this Facility, may subject the Permittee to administrative or civil liabilities, criminal penalties, and/or other enforcement remedies to ensure compliance. Additionally, certain violations may subject the Permittee to civil or criminal enforcement from appropriate local, state, or federal law enforcement entities.
- v. CWC section 13385(h)(i) requires the Regional Water Board to assess a mandatory minimum penalty of three-thousand dollars (\$3,000) for each serious violation. Pursuant to CWC section 13385(h)(2), a "serious violation" is defined as any waste discharge that violates the effluent limitations contained in the applicable waste discharge requirements for a Group II pollutant by 20 percent or more, or for a Group I pollutant by 40 percent or more. Appendix A of 40 CFR part 123.45 specifies the Group I and II pollutants. Pursuant to CWC section 13385.1(a)(1), a "serious violation" is also defined as "a failure to file a discharge monitoring report required pursuant to section 13383 for each complete period of 30 days following the deadline for submitting the report, if the report is designed to ensure compliance with limitations contained in waste discharge requirements that contain effluent limitations."

- w. CWC section 13385(i) requires the Regional Water Board to assess a mandatory minimum penalty of three-thousand dollars (\$3,000) for each violation whenever a person violates a waste discharge requirement effluent limitation in any period of six consecutive months, except that the requirement to assess the mandatory minimum penalty shall not be applicable to the first three violations within that time period.
- x. Pursuant to CWC section 13385.1(d), for the purposes of section 13385.1 and subdivisions (h), (i), and (j) of section 13385, "effluent limitation" means a numeric restriction or a numerically expressed narrative restriction, on the quantity, discharge rate, concentration, or toxicity units of a pollutant or pollutants that may be discharged from an authorized location. An effluent limitation may be final or interim, and may be expressed as a prohibition. An effluent limitation, for these purposes, does not include a receiving water limitation, a compliance schedule, or a best management practice.
- y. CWC section 13387(e) provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this order, including monitoring reports or reports of compliance or noncompliance, or who knowingly falsifies, tampers with, or renders inaccurate any monitoring device or method required to be maintained in this order shall be punished by a fine of not more than twenty-five thousand dollars (\$25,000), imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for 16, 20, or 24 months, or by both that fine and imprisonment. For a subsequent conviction, such a person shall be punished by a fine of not more than twenty-five thousand dollars (\$25,000) per day of violation, by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for two, three, or four years, or by both that fine and imprisonment.
- z. In the event the Permittee does not comply or will be unable to comply for any reason, with any prohibition, effluent limitation, or receiving water limitation of this Order that may endanger health or the environment, the Permittee shall notify the Chief of the Watershed Regulatory Section at the Regional Water Board by telephone (213) 620-2083 or by fax at (213) 576-6660 within 24 hours of having knowledge of such noncompliance, and shall confirm this notification in writing to the Regional Water Board within five days, unless the Regional Water Board waives confirmation. The written notification shall state the nature, time, duration, and cause of noncompliance, and shall describe the measures being taken to remedy the current noncompliance and, prevent recurrence including, where applicable, a schedule of implementation. The written notification shall also be submitted via email with reference to CI-4245 to [losangeles@waterboards.ca.gov](mailto:losangeles@waterboards.ca.gov). Other noncompliance requires written notification as above at the time of the normal monitoring report.

## **B. Monitoring and Reporting Program (MRP) Requirements**

The Discharger shall comply with the MRP, and future revisions thereto, in Attachment E.

## **C. Special Provisions**

### **1. Reopener Provisions**

- a. This Order may be modified, revoked and reissued, or terminated for cause, including, but not limited to:
  - i. Violation of any term or condition contained in this Order;

- ii. Obtaining this Order by misrepresentation, or by failure to disclose fully all relevant facts; or
- iii. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.

The filing of a request by the Permittee for an Order modification, revocation, and issuance or termination, or a notification of planned changes or anticipated noncompliance does not stay any condition of this Order.

- b. This Order may be reopened for modification, or revocation and reissuance, as a result of the detection of a reportable priority pollutant generated by special conditions included in this Order. These special conditions may be, but are not limited to, fish tissue sampling, whole effluent toxicity testing, monitoring of internal waste stream(s), and monitoring for surrogate parameters. Additional requirements may be included in this Order as a result of the special condition monitoring data.
- c. This Order may be modified, in accordance with the provisions set forth in 40 CFR parts 122 and 124 to include requirements for the implementation of a watershed protection management approach.
- d. The Board may modify, or revoke and reissue this Order if present or future investigations demonstrate that the discharge(s) governed by this Order have or will have a reasonable potential to cause, or contribute to adverse impacts on water quality or beneficial uses of the receiving waters.
- e. This Order may also be modified, revoked, and reissued or terminated in accordance with the provisions of 40 CFR parts 122.44, 122.62 to 122.64, 125.62, and 125.64. Causes for taking such actions include, but are not limited to, failure to comply with any condition of this Order, endangerment to human health or the environment resulting from the permitted activity, or acquisition of newly obtained information which would have justified the application of different conditions if known at the time of Order adoption. The filing of a request by the Permittee for an Order modification, revocation and issuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any condition of this Order.
- f. This Order may be modified, in accordance with the provisions set forth in 40 CFR parts 122 to 124, to include new minimum levels (MLs).
- g. If an applicable toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is promulgated under section 307(a) of the CWA for a toxic pollutant and that standard or prohibition is more stringent than any limitation on the pollutant in this Order, the Regional Water Board may institute proceedings under these regulations to modify or revoke and reissue the Orders to conform to the toxic effluent standard or prohibition.
- h. The waste discharged shall not cause a violation of any applicable water quality standard for receiving waters. If more stringent applicable water quality standards are promulgated or approved pursuant to section 303 of the CWA, or amendments, thereto, the Regional Water Board will revise and modify this Order in accordance with such standards.
- i. This Order may be reopened and modified, to add or revise effluent limitations as a result of future Basin Plan Amendments, such as an update of a water quality objective, or the adoption/revision of any of the Ventura River Nutrients TMDLs.

- j. This Order may be reopened and modified, to revise effluent limitations as a result of the delisting of a pollutant from the 303(d) list.
- k. This Order will be reopened and modified to revise any and all of the chronic toxicity testing provisions and effluent limitations, to the extent necessary, to be consistent with any Toxicity Plan that is subsequently adopted by the State Water Board promptly after USEPA approval of such Plan.
- l. This Order will be reopened and modified to the extent necessary, to be consistent with new policies, a new state-wide plan, new laws, or new regulations.

## **2. Special Studies, Technical Reports and Additional Monitoring Requirements**

### **a. Ventura River Nutrients TMDL Monitoring Requirements**

The previously adopted Order NO. R4-2013-0173 requires Ojai Valley SD to submit to the Regional Water Board, no later than July 31, 2014, a comprehensive TMDL receiving water monitoring plan (CMP) to assess numeric target attainment and measure in-stream nutrient concentrations. The final draft of this CMP was submitted to the Regional Board on June 27, 2014 and was approved by the Regional Water Board on October 20, 2014. The Responsible Parties for this CMP are the Ojai Valley Sanitary District, Ventura County Watershed Protection District, County of Ventura, City of Ojai, City of San Buenaventura (Ventura), California Department of Transportation, and the Ventura County Agricultural Irrigated Lands Group (represented by the Farm Bureau of Ventura County).

On behalf of the TMDL Responsible Parties, the Ventura County Watershed Protection District (District) began sampling in accordance with the VR Nutrients TMDL Comprehensive Monitoring Plan for Receiving Waters (CMP) on January 14, 2015. As required by the TMDL, the CMP prescribes year-round monthly water quality monitoring for nutrients and other water quality parameters at one site in the Ventura River Estuary, one site in each of the Ventura River reaches 1 – 4, and in two main tributaries, Cañada Larga and San Antonio Creek. Continuous monitoring of dissolved oxygen, pH, temperature, and conductivity are required at each site once a quarter. The CMP also requires monthly monitoring of algae during the dry season (May – September).

Annual reports have been submitted that covers the monitoring from May 2015 – April 2016, May 2016 - April 2017, and May 2017 - April 2018.

### **b. Toxicity Reduction Requirements**

The Permittee shall prepare and submit a copy of the Permittee's initial investigation Toxicity Reduction Evaluation (TRE) workplan in accordance with Monitoring and Reporting Program section V.A.6.

### **c. Treatment Plant Capacity**

The Discharger shall submit a written report to the Executive Officer of the Regional Water Board within 90 days after the "30-day (monthly) average" daily dry-weather flow equals or exceeds 75 percent of the design capacity of waste treatment and/or disposal facilities. The Discharger's senior administrative officer shall sign a letter, which transmits that report and certifies that the discharger's policy-making body is adequately informed of the report's contents. The report shall include the following:

- i. The average daily flow for the month, the date on which the peak flow occurred, the rate of that peak flow, and the total flow for the day.

- ii. The best estimate of when the monthly average daily dry-weather flow rate will equal or exceed the design capacity of the facilities.
- iii. A schedule for studies, design, and other steps needed to provide additional capacity for waste treatment and/or disposal facilities before the waste flow rate equals the capacity of present units.

This requirement is applicable to those facilities which have not reached 75 percent of capacity as of the effective date of this Order. For those facilities that have reached 75 percent of capacity by that date but for which no such report has been previously submitted, such a report shall be filed within 90 days of the issuance of this Order.

### **3. Best Management Practices and Pollution Prevention**

#### **a. Storm Water Pollution Prevention Plan (SWPPP) – (Not Applicable)**

#### **b. Spill Clean-up Contingency Plan (SCCP)**

Within 90 days of the effective date of this Order, the Permittee is required to submit a SCCP, which describes the activities and protocols to address clean-up of spills, overflows, and bypasses of untreated or partially treated wastewater from the Permittee's collection system or treatment facilities that reach water bodies, including dry channels and beach sands. At a minimum, the plan shall include sections on spill clean-up and containment measures, public notification, and monitoring. The Permittee shall review and amend the plan as appropriate after each spill from the Facility or in the service area of the Facility. The Permittee shall include a discussion in the annual summary report of any modifications to the Plan and the application of the Plan to all spills during the year.

#### **c. Pollutant Minimization Program (PMP)**

Reporting protocols in MRP section X.B.4 describe sample results that are to be reported as Detected but Not Quantified (DNQ) or Not Detected (ND). Definitions for a reported ML and Method Detection Limit (MDL) are provided in Attachment A. These reporting protocols and definitions are used in determining the need to conduct a PMP as follows:

The Permittee shall develop and conduct a PMP as further described below when there is evidence (e.g., sample results reported as DNQ when the effluent limitation is less than the MDL; sample results from analytical methods more sensitive than those methods required by this Order; presence of whole effluent toxicity; health advisories for fish consumption; or, results of benthic or aquatic organism tissue sampling) that a pollutant is present in the effluent above an effluent limitation and either of the following is true:

- i. The concentration of the pollutant is reported as DNQ and the effluent limitation is less than the reported ML; or,
- ii. The concentration of the pollutant is reported as ND and the effluent limitation is less than the MDL, using definitions described in Attachment A and reporting protocols described in the MRP.

The goal of the PMP shall be to reduce all potential sources of a pollutant through pollutant minimization (control) strategies, including pollution prevention measures as appropriate, to maintain the effluent concentration at or below the effluent limitation. Pollution prevention measures may be particularly appropriate for



persistent bioaccumulative priority pollutants where there is evidence that beneficial uses are being impacted. The Regional Water Board may consider cost-effectiveness when establishing the requirements of a PMP. The completion and implementation of a Pollution Prevention Plan (PPP), if required pursuant to CWC section 13263.3(d), shall be considered to fulfill the PMP requirements.

The PMP shall include, but not be limited to, the following actions and submittals acceptable to the Regional Water Board:

- i. An annual review and semi-annual monitoring of potential sources of the reportable pollutant(s), which may include fish tissue monitoring and other bio-uptake sampling.
- ii. Quarterly monitoring for the reportable pollutant(s) in the influent to the wastewater treatment system.
- iii. Submittal of a control strategy designed to proceed toward the goal of maintaining concentrations of the reportable pollutant(s) in the effluent at or below the effluent limitation.
- iv. Implementation of appropriate cost-effective control measures for the reportable pollutant(s), consistent with the control strategy.
- v. An annual status report that shall be sent to the Regional Water Board including:
  - (a) All PMP monitoring results for the previous year.
  - (b) A list of potential sources of the reportable pollutant(s).
  - (c) A summary of all actions undertaken pursuant to the control strategy.
  - (d) A description of actions to be taken in the following year

#### **4. Construction, Operation and Maintenance Specifications**

- a. Wastewater treatment facilities subject to this Order shall be supervised and operated by persons possessing certificates of appropriate grade pursuant to California Code of Regulations (CCR), title 23, division 3, chapter 26 (CWC sections 13625 – 13633).
- b. The Permittee shall maintain in good working order a sufficient alternate power source for operating the wastewater treatment and disposal facilities. All equipment shall be located to minimize failure due to moisture, liquid spray, flooding, and other physical phenomena. The alternate power source shall be designed to permit inspection and maintenance and shall provide for periodic testing. If such alternate power source is not in existence, the discharger shall halt, reduce, or otherwise control all discharges upon the reduction, loss, or failure of the primary source of power.
- c. The Permittee shall provide standby or emergency power facilities and/or storage capacity or other means so that in the event of plant upset or outage due to power failure or other cause, discharge of raw or inadequately treated sewage does not occur.

#### **5. Special Provisions for Publicly-Owned Treatment Works (POTWs)**

- a. **Biosolids Disposal Requirements**

- i. All biosolids generated at the wastewater treatment plant must be disposed of, treated, or applied to land in accordance with federal regulations contained in 40 CFR part 503. These requirements are enforceable by USEPA.
- ii. The Permittee shall ensure compliance with the requirements in State Water Board Order No. 2004-12-DWQ, *General WDRs for the Discharge of Biosolids to Land for Use as a Soil Amendment in Agricultural, Silvicultural, Horticultural and Land Reclamation Activities* for those sites receiving the Permittee's biosolids which a Regional Water Board has placed under this general order, and with the requirements in individual WDRs issued by a Regional Water Board for sites receiving the Permittee's biosolids.

**b. Pretreatment Requirements**

- i. This Order includes the Permittee's Pretreatment Program as previously submitted to this Regional Water Board. Any change to the program shall be reported to the Regional Water Board in writing and shall not become effective until approved by the Executive Officer in accordance with procedures established in 40 CFR part 403.18.
- ii. Applications for renewal or modification of this Order must contain information about industrial discharges to the POTW pursuant to 40 CFR part 122.21(j)(6). Pursuant to 40 CFR part 122.42(b) and provision VII.A of Attachment D, Standard Provisions, of this Order, the Discharger shall provide adequate notice of any new introduction of pollutants or substantial change in the volume or character of pollutants from industrial discharges which were not included in the permit application. Pursuant to 40 CFR part 122.44(j)(1), the Permittee shall annually identify and report, in terms of character and volume of pollutants, any Significant Industrial Users discharging to the POTW subject to Pretreatment Standards under section 307(b) of the CWA and 40 CFR part 403.
- iii. The Permittee shall comply with requirements contained in Attachment I – Pretreatment Reporting Requirements.

**c. Collection System Requirements**

- i. The Permittee's collection system is part of the system that is subject to this Order. As such, the Permittee must properly operate and maintain its collection system (40 CFR part 122.41(e)). The Permittee must report any non-compliance (40 CFR part 122.41(l)(6) and (7)) and mitigate any discharge from the collection system in violation of this Order (40 CFR part 122.41(d)). See the Order at Attachment D, subsections I.D, V.E, V.H, and I.C., and the following section of this Order.

**6. Spills Reporting Requirements**

**a. Initial Notification**

Although State and Regional Water Board staff do not have duties as first responders, this requirement is an appropriate mechanism to ensure that the agencies that do have first responder duties are notified in a timely manner in order to protect public health and beneficial uses. For certain spills, overflows and bypasses, the Permittee shall make notifications as required below:

- i. In accordance with the requirements of Health and Safety Code section 5411.5, the Permittee shall provide notification to the local health officer or the

director of environmental health with jurisdiction over the affected water body of any unauthorized release of sewage or other waste that causes, or probably will cause, a discharge to any waters of the state as soon as possible, but no later than **two hours** after becoming aware of the release.

- ii. In accordance with the requirements of CWC section 13271, the Permittee shall provide notification to the California Office of Emergency Services (OES) of the release of reportable amounts of hazardous substances or sewage that causes, or probably will cause, a discharge to any waters of the state as soon as possible, but not later than two hours after becoming aware of the release. The CCR, Title 23, section 2250, defines a reportable amount of sewage as being 1,000 gallons. The phone number for reporting these releases to the OES is (800) 852-7550. In addition, the Permittee shall notify Heal the Bay of any such sewage spill.
- iii. The Permittee shall notify the Regional Water Board of any unauthorized release of sewage from its POTW that causes, or probably will cause, a discharge to a water of the state as soon as possible, but not later than **two hours** after becoming aware of the release. This initial notification does not need to be made if the Permittee has notified OES and the local health officer or the director of environmental health with jurisdiction over the affected waterbody. The phone number for reporting these releases of sewage to the Regional Water Board is (213) 576-6657. The phone numbers for after hours and weekend reporting of releases of sewage to the Regional Water Board are (213) 305-2284 and (213) 305-2253.

At a minimum, the following information shall be provided to the Regional Water Board:

- (a) The location, date, and time of the release.
- (b) The water body that received or will receive the discharge.
- (c) An estimate of the amount of sewage or other waste released and the amount that reached a surface water at the time of notification.
- (d) If ongoing, the estimated flow rate of the release at the time of the notification.
- (e) The name, organization, phone number and email address of the reporting representative.

#### **b. Monitoring**

For spills, overflows and bypasses reported under section VI.C.6.a, the Permittee shall monitor as required below:

- i. To define the geographical extent of the spill's impact, the Permittee shall obtain grab samples (if feasible, accessible, and safe) for all spills, overflows or bypasses of any volume that reach any waters of the state (including surface and ground waters). For spills that reach surface freshwaters, the Permittee shall monitor for E.coli density. For spills that reach marine water, the Permittee shall monitor for total coliform, and enterococcus density. The Permittee also shall analyze the samples for relevant pollutants of concern, upstream and downstream of the point of entry of the spill (if feasible, accessible, and safe). This monitoring shall be done on a daily basis from the time the spill is known until the results of two consecutive sets of

bacteriological monitoring indicate the return to the background level or the County Department of Public Health authorizes cessation of monitoring.

**c. Reporting**

The initial notification required under section VI.C.6.a shall be followed by:

- i. As soon as possible, but **not later than twenty-four hours** after becoming aware of an unauthorized discharge of sewage or other waste from its wastewater treatment plant to a water of the state, the Permittee shall submit a statement to the Regional Water Board by email at [augustine.anijelo@waterboards.ca.gov](mailto:augustine.anijelo@waterboards.ca.gov). If the discharge is 1,000 gallons or more, this statement shall certify that OES has been notified of the discharge in accordance with CWC section 13271. The statement shall also certify that the local health officer or director of environmental health with jurisdiction over the affected water bodies has been notified of the discharge in accordance with Health and Safety Code section 5411.5. The statement shall also include at a minimum the following information:
  - (a) Agency, NPDES No., Order No., and MRP CI No., if applicable.
  - (b) The location, date, and time of the discharge.
  - (c) The water body that received the discharge.
  - (d) A description of the level of treatment of the sewage or other waste discharged.
  - (e) An initial estimate of the amount of sewage or other waste released and the amount that reached a surface water.
  - (f) The OES control number and the date and time that notification of the incident was provided to OES.
  - (g) The name of the local health officer or director of environmental health representative notified (if contacted directly); the date and time of notification, and the method of notification (e.g., phone, fax, email).
- ii. A written preliminary report five working days after disclosure of the incident is required. Submission to the Regional Water Board of the California Integrated Water Quality System (CIWQS) Sanitary Sewer Overflow (SSO) event number shall satisfy this requirement. Within 30 days after submitting the preliminary report, the Permittee shall submit the final written report to this Regional Water Board. (A copy of the final written report, for a given incident, already submitted pursuant to a statewide General WDRs for Wastewater Collection System Agencies (SSO WDR), may be submitted to the Regional Water Board to satisfy this requirement.) The written report shall document the information required in paragraph d below, monitoring results and any other information required in provisions of the Standard Provisions document including corrective measures implemented or proposed to be implemented to prevent/minimize future occurrences. The Executive Officer for just cause can grant an extension for submittal of the final written report.
- iii. The Permittee shall include a certification in the annual summary report (due according to the schedule in the MRP) that states that the sewer system emergency equipment, including alarm systems, backup pumps, standby power generators, and other critical emergency pump station components were

maintained and tested in accordance with the Permittee's preventive maintenance plan. Any deviations from or modifications to the plan shall be discussed.

**d. Records**

The Permittee shall develop and maintain a record of all spills, overflows or bypasses of raw or partially treated sewage from its collection system or treatment plant. This record shall be made available to the Regional Water Board upon request and a spill summary shall be included in the annual summary report. The records shall contain:

- i. The date and time of each spill, overflow, or bypass.
- ii. The location of each spill, overflow, or bypass.
- iii. The estimated volume of each spill, overflow, and bypass including gross volume, amount recovered and amount not recovered, monitoring results as required by section VI.C.6.b.
- iv. The cause of each spill, overflow, or bypass.
- v. Whether each spill, overflow, or bypass entered a receiving water and, if so, the name of the water body and whether it entered via storm drains or other man-made conveyances.
- vi. Any mitigation measures implemented.
- vii. Any corrective measures implemented or proposed to be implemented to prevent/minimize future occurrences.
- viii. The mandatory information included in SSO online reporting for finalizing and certifying the SSO report for each spill, overflow, or bypass under the SSO WDR.

**e. Activities Coordination**

Although not required by this Order, Regional Water Board expects that the POTW's owners/operators will coordinate their compliance activities for consistency and efficiency with other entities that have responsibilities to implement: (i) this NPDES permit, including the Pretreatment Program, (ii) a MS4 NPDES permit that may contain spill prevention, sewer maintenance, reporting requirements and (iii) the SSO WDR.

**f. Consistency with SSO WDRs**

The CWA prohibits the discharge of pollutants from point sources to surface waters of the United States unless authorized under an NPDES permit. (33 United States Code sections 1311, 1342). The State Water Board adopted General Waste Discharge Requirements for Sanitary Sewer Systems, (WQ Order No. 2006-0003-DWQ; SSO WDR) on May 2, 2006, to provide a consistent, statewide regulatory approach to address sanitary sewer overflows. The SSO WDR requires public agencies that own or operate sanitary sewer systems to apply for coverage under the SSO WDR, develop and implement sewer system management plans, and report all SSO to the State Water Board's online SSOs database. Regardless of the coverage obtained under the SSO WDR, the Permittee's collection system is part of the POTW that is subject to this NPDES permit. As such, pursuant to federal regulations, the Permittee must properly operate and maintain its collection system

(40 CFR part 122.41 (e)), report any non-compliance (40 CFR part 122.41(1)(6) and (7)), and mitigate any discharge from the collection system in violation of this NPDES permit (40 CFR part 122.41(d)).

The requirements contained in this Order in sections VI.C.3.b (SCCP Plan section), VI.C.4 (Construction, Operation and Maintenance Specifications section), and VI.C.6 (Spill Reporting Requirements section) are intended to be consistent with the requirements of the SSO WDR. The Regional Water Board recognizes that there may be some overlap between these NPDES permit provisions and SSO WDR requirements, related to the collection systems. The requirements of the SSO WDR are considered the minimum thresholds (see finding 11 of State Water Board Order No. 2006-0003-DWQ). To encourage efficiency, the Regional Water Board will accept the documentation prepared by the Permittees under the SSO WDR for compliance purposes as satisfying the requirements in sections VI.C.3.b, VI.C.4, and VI.C.6 provided the more stringent provisions contained in this NPDES permit are also addressed. Pursuant to SSO WDR, section D, provision 2(iii) and (iv), the provisions of this NPDES permit supersede the SSO WDR, for all purposes, including enforcement, to the extent the requirements may be deemed duplicative.

- g. The Discharger shall provide standby or emergency power facilities and/or storage capacity or other means so that in the event of plant upset or outage due to power failure or other cause, discharge of raw or inadequately treated sewage does not occur.

## **7. Other Special Provisions – Not Applicable**

## **8. Compliance Schedules**

- a. The Ventura River Nutrients TMDL assigns dry-weather interim waste load allocations to Ojai Valley WWTP. Compliance with the final effluent limitation for total nitrogen (TN) will take effect 12 years after June 28, 2013, the effective date of the Ventura River Nutrients TMDL. The interim effluent limitations in Table 5 of this Order will remain in effect until the final effluent limitations become effective.

The Discharger has contracted with the consulting firm MWH to assess the conceptual level modifications to the facility that might be required to comply with the final effluent limitations of the Ventura River Nutrients TMDL. The Discharger has completed a preliminary evaluation of options to meet the final TMDL discharge limits. The options include, but are not limited, to the conceptual scenario described below:

- i. TN limit of 3 mg/L (as nitrogen) and TP limit of 1 mg/L (as phosphorous)

Two alternatives were identified to achieve the nutrient limits.

### Alternative 1: Conversion to Modified Bardenpho process

The first alternative to improve the Facility's denitrification capacity is to convert the existing three stage process (comprised of successive anaerobic, anoxic and anaerobic zones) to a five-stage Modified Bardenpho process. The upgrade consists of the addition of a second (post-aeration) anoxic zone, including inclusions of carbon in the form of methanol to increase denitrification, followed by a third aerobic zone. The capital cost for this option is estimated to be \$16.6 million, with operation and maintenance costs of \$205,000 annually (adjusted to 2012 dollars).

### Alternative 2: Addition of denitrification filters

The second alternative is the addition of denitrification filters to the existing facilities, a process that serves the dual purpose of denitrification and filtration of suspended solids. The heterotrophic microorganisms cultivated on the Granular media denitrification filters will require methanol addition as a source of carbon to sustain growth. The estimated construction cost is \$17.2 million and the maintenance cost is \$270,000 per year (adjusted to 2012 dollars).

With either of these alternatives, optimization of phosphorus removal can be added. Based on the MWH (2007) report, the Facility has capabilities to include alum or other coagulant treatments.

In order to comply with the final effluent limitations for TN and TP, the Discharger submitted the proposed Table below including tasks and milestone dates. The table below was revised based on the submitted ROWD that included the Gantt Chart. Revised tasks and milestones were incorporated into this revised table. Task Nos. 1 through 10, were already completed as required by Order No. R4-2013-0173. Task Nos. 11 through 18 are required by this new Order.

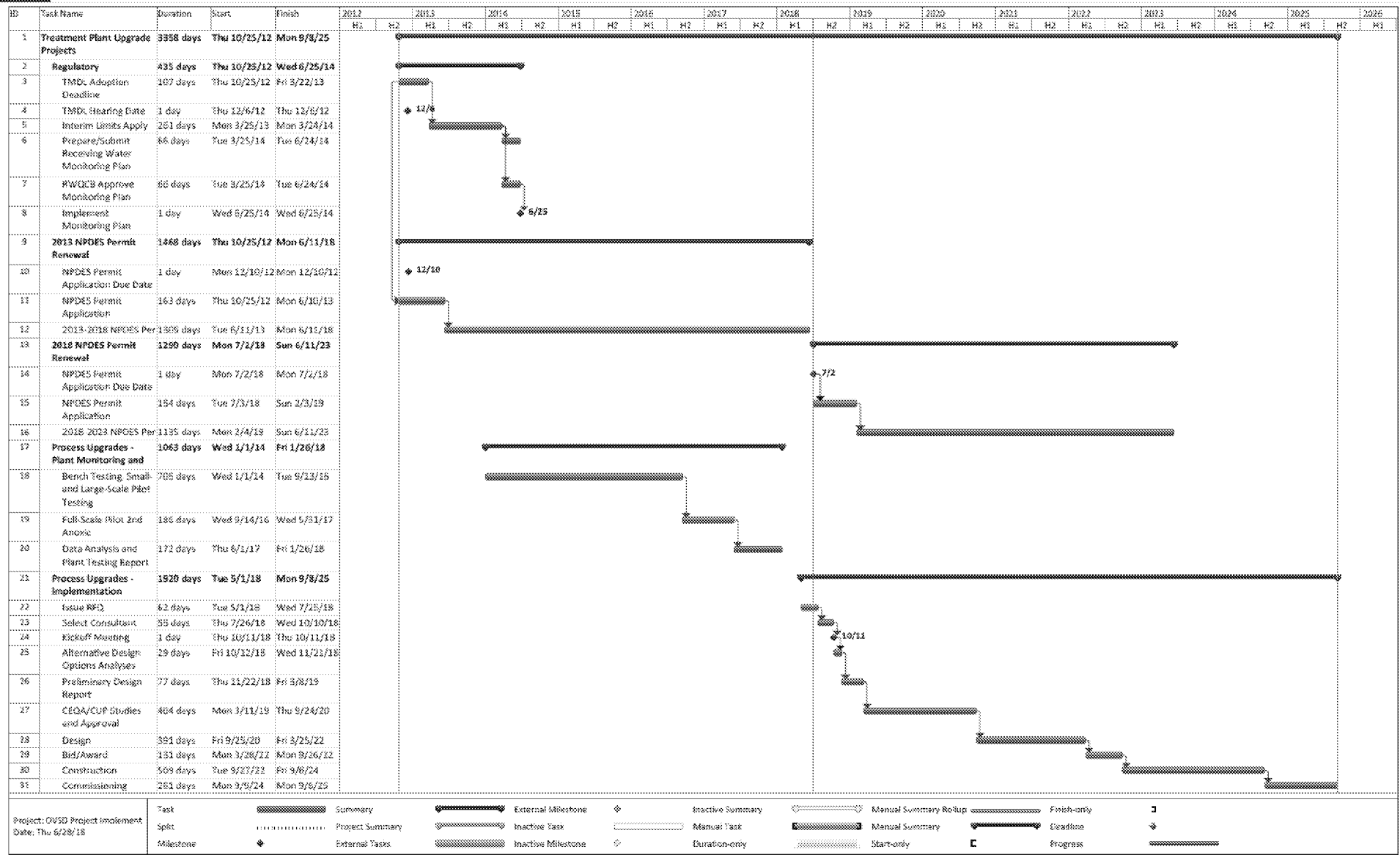
**Table 6. Compliance Schedule for TN and TP Final Effluent Limitations**

Task No.	Description	Start Date	End Date
1	Oxidation Ditch Process Monitoring	12/13/13	12/15/15
2	Oxidation Ditch #2 Instrumentation	06/13/13	12/01/13
3	Plant Influent/Anerobic Instrumentation	06/13/13	12/01/13
4	Filter/Effluent Instrumentation	06/13/13	12/01/13
5	System Monitoring including Seasonal Changes	12/01/13	12/01/15
6	Summary Report		03/01/15
7	Testing Analysis/Pilot Testing	06/01/14	12/01/15
8	Data Analysis	03/01/16	03/01/17
<b>Process Upgrades - Implementation</b>			
9	Issues Request for Quotation (RFQ)	5/1/18	7/25/18
10	Select Consultant	7/26/18	10/18/18
11	Kickoff Meeting	10/11/18	10/11/18
12	Alternative Design Options Analyses	10/12/18	11/21/18
13	Preliminary Design Report	11/22/18	3/8/19
14	CEQA/Conditional Use Permit (CUP) Studies and Approval	3/11/19	9/24/20
15	Design	9/25/20	3/25/22
16	Bid/Award	3/28/22	9/26/22
17	Construction	9/27/22	9/6/24
18	Commissioning	9/9/24	6/27/25

An updated project schedule and milestones is presented in the Gantt Chart below:

OJAI VALLEY SANITARY DISTRICT  
OJAI VALLEY WASTEWATER TREATMENT PLANT

ORDER R4-2018-0xxx  
NPDES NO. CA0053961



WASTE DISCHARGE REQUIREMENTS (Tentative Permit: 10/17/2018)



- b. The Permittee shall notify the Regional Water Board in writing, no later than 14 days following each interim milestone date, of its compliance or noncompliance with the interim requirements.
- c. A compliance report is due within 14 days after each interim milestone date.
- d. In order to monitor compliance with the interim limitation for TN and final effluent limitations for TN and TP, the Permittee shall monitor the effluent TN and TP at the frequencies required in Table E-3. The Permittee shall calculate the monthly TN and TP seasonal effluent limitation as discussed in section VII.M - Compliance Determination. Each result shall be reported in the monthly report to track progress in achieving compliance with the final effluent limitations.
- e. The Permittee shall submit a PMP described in section VI.C.3.c. to the Regional Water Board for Executive Officer approval within 60 days of the effective date of this permit.

## VII. COMPLIANCE DETERMINATION

Compliance with the effluent limitations contained in section IV of this Order will be determined as specified below:

### A. General

Compliance with effluent limitations for priority pollutants shall be determined using sample reporting protocols defined in the MRP and Attachment A of this Order. For purposes of reporting and administrative enforcement by the Regional and State Water Boards, the Permittee shall be deemed out of compliance with effluent limitations if the concentration of the priority pollutant in the monitoring sample is greater than the effluent limitation and greater than or equal to the reporting level (RL).

### B. Multiple Sample Data

When determining compliance with a measure of central tendency (arithmetic mean, geometric mean, median, etc.) of multiple sample analyses and the data set contains one or more reported determinations of DNQ or ND, the Permittee shall compute the median in place of the arithmetic mean in accordance with the following procedure:

1. The data set shall be ranked from low to high, ranking the reported ND determinations lowest, DNQ determinations next, followed by quantified values (if any). The order of the individual ND or DNQ determinations is unimportant.
2. The median value of the data set shall be determined. If the data set has an odd number of data points, then the median is the middle value. If the data set has an even number of data points, then the median is the average of the two values around the middle unless one or both of the points are ND or DNQ, in which case the median value shall be the lower of the two data points where DNQ is lower than a value and ND is lower than DNQ.

### C. Average Monthly Effluent Limitation (AMEL)

If the average (or when applicable, the median determined by subsection B above for multiple sample data) of daily discharges over a calendar month exceeds the AMEL for a given parameter, this will represent a single violation, though the Permittee may be considered out of compliance for each day of that month for that parameter (e.g., resulting in 31 days of non-compliance in a 31-day month). If only a single sample is taken during the calendar month and the analytical result for that sample exceeds the AMEL, the Permittee may be considered

out of compliance for that calendar month. The Permittee will only be considered out of compliance for days when the discharge occurs. For any one calendar month during which no sample (daily discharge) is taken, no compliance determination can be made for that calendar month with respect to the AMEL.

If the analytical result of a single sample, monitored monthly, quarterly, semiannually, or annually, does not exceed the AMEL for a given parameter, the Permittee will have demonstrated compliance with the AMEL for each day of that month for that parameter.

If the analytical result of any single sample, monitored monthly, quarterly, semiannually, or annually, exceeds the AMEL for any parameter, the Permittee may collect up to four additional samples within the same calendar month. All analytical results shall be reported in the monitoring report for that month. The concentration of pollutant (an arithmetic mean or a median) in these samples estimated from the "Multiple Sample Data Reduction" section above, will be used for compliance determination.

In the event of noncompliance with an AMEL, the sampling frequency for that parameter shall be increased to weekly and shall continue at this level until compliance with the AMEL has been demonstrated.

**D. Average Weekly Effluent Limitation (AWEL)**

If the average of daily discharges over a calendar week exceeds the AWEL for a given parameter, a potential violation will be flagged and the Permittee will be considered out of compliance for each day of that week for that parameter, resulting in 7 days of non-compliance. The average of daily discharges over the calendar week that exceeds the AWEL for a parameter will be considered out of compliance for that week only. If only a single sample is taken during the calendar week and the analytical result for that sample exceeds the AWEL, the Permittee will be considered out of compliance for that calendar week. For any one calendar week during which no sample (daily discharge) is taken, no compliance determination can be made for that calendar week with respect to the AWEL.

A calendar week will begin on Sunday and end on Saturday. Partial calendar weeks at the end of calendar month will be carried forward to the next month in order to calculate and report a consecutive seven-day average value on Saturday.

**E. Maximum Daily Effluent Limitation (MDEL)**

If a daily discharge on a calendar day exceeds the MDEL for a given parameter, a potential violation will be flagged and the Permittee will be considered out of compliance for that day for that parameter. If no sample (daily discharge) is taken over a calendar day, no compliance determination can be made for that day with respect to effluent violation determination, but compliance determination can be made for that day with respect to reporting violation determination.

**F. Instantaneous Minimum Effluent Limitation**

If the analytical result of a single grab sample is lower than the instantaneous minimum effluent limitation for a parameter, a potential violation will be flagged and the Permittee will be considered out of compliance for that parameter for that single sample. Non-compliance for each sample will be considered separately (e.g., the results of two grab samples taken within a calendar day that both are lower than the instantaneous minimum effluent limitation would result in two instances of non-compliance with the instantaneous minimum effluent limitation).

**G. Instantaneous Maximum Effluent Limitation**

If the analytical result of a single grab sample is higher than the instantaneous maximum effluent limitation for a parameter, a potential violation will be flagged and the Permittee will be considered out of compliance for that parameter for that single sample. Non-compliance for each sample will be considered separately (e.g., the results of two grab samples taken within a calendar day that both exceed the instantaneous maximum effluent limitation would result in two instances of non-compliance with the instantaneous maximum effluent limitation).

**H. Six-month Median Effluent Limitation**

If the median of daily discharges over any 180-day period exceeds the six-month median effluent limitation for a given parameter, a potential violation will be flagged and the Permittee will be considered out of compliance for each day of that 180-day period for that parameter. The next assessment of compliance will occur after the next sample is taken. If only a single sample is taken during a given 180-day period and the analytical result for that sample exceeds the six-month median, the Permittee will be considered out of compliance for the 180-day period. For any 180-period during which no sample is taken, no compliance determination can be made for the six-month median effluent limitation.

**I. Median Monthly Effluent Limitation (MMEL)**

If the median of daily discharges over a calendar month exceeds the MMEL for a given parameter, a potential violation will be flagged and the Permittee will be considered out of compliance for each day of that month for that parameter (e.g., resulting in 31 days of non-compliance in a 31-day month). However, a potential violation of the MMEL will be considered one violation for the purpose of assessing State mandatory minimum penalties. If no sample (daily discharge) is taken over a calendar month, no compliance determination can be made for that month with respect to effluent violation determination, but compliance determination can be made for that month with respect to reporting violation determination.

**J. Chronic Toxicity**

The discharge is subject to determination of "Pass" or "Fail" and "Percent Effect" from a chronic toxicity test using the Test of Significant Toxicity (TST) statistical t-test approach described in *National Pollutant Discharge Elimination System Test of Significant Toxicity Implementation Document* (EPA 833-R-10-003, 2010), Appendix A, Figure A-1, Table A-1, and Appendix B, Table B-1. The null hypothesis ( $H_0$ ) for the TST statistical approach is: Mean discharge In-stream Waste Concentration (IWC) response  $\leq 0.75 \times$  Mean control response. A test result that rejects this null hypothesis is reported as "Pass." A test result that does not reject this null hypothesis is reported as "Fail." The relative "Percent Effect" at the discharge IWC is defined and reported as:  $((\text{Mean control response} - \text{Mean discharge IWC response}) \div \text{Mean control response}) \times 100$ . This is a t-test (formally Student's t-Test), a statistical analysis comparing two sets of replicate observations - in the case of Whole Effluent Toxicity (WET), only two test concentrations (i.e., a control and IWC). The purpose of this statistical test is to determine if the means of the two sets of observations are different (i.e., if the IWC or receiving water concentration differs from the control (the test result is "Pass" or "Fail")). The Welch's t-test employed by the TST statistical approach is an adaptation of Student's t-test and is used with two samples having unequal variances.

The MDEL for chronic toxicity is exceeded and a violation will be flagged when a chronic toxicity test, analyzed using the TST statistical approach, results in "Fail" and the "Percent Effect" is  $\geq 0.50$ .

The MMEL for chronic toxicity is exceeded and a violation will be flagged when the median of no more than three independent chronic toxicity tests, conducted within the same calendar

month and analyzed using the TST statistical approach, results in "Fail." The MMEL for chronic toxicity shall only apply when there is a discharge on more than one day in a calendar month period. During such calendar months, up to three independent toxicity tests may be conducted when one toxicity test results in "Fail."

The chronic toxicity MDEL and MMEL are set at the IWC for the discharge (100% effluent) and expressed in units of the TST statistical approach ("Pass" or "Fail", "Percent Effect"). All NPDES effluent compliance monitoring for the chronic toxicity MDEL and MMEL shall be reported using only the 100% effluent concentration and negative control, expressed in units of the TST. The TST hypothesis ( $H_0$ ) (see above) is statistically analyzed using the IWC and a negative control. Effluent toxicity tests shall be run using a multi-concentration test design when required by *Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms* (USEPA 2002, EPA-821-R-02-013). The Regional Water Board's review of reported toxicity test results will include review of concentration-response patterns as appropriate (see Fact Sheet discussion at IV.C.5). As described in the bioassay laboratory audit correspondence from the State Water Resources Control Board dated August 7, 2014, and from the USEPA dated December 24, 2013, the Percent Minimum Significant Difference (PMSD) criteria only apply to compliance reporting for the No Observable Effect Concentration (NOEC) and the sublethal statistical endpoints of the NOEC, and therefore are not used to interpret TST results. Standard Operating Procedures used by the toxicity testing laboratory to identify and report valid, invalid, anomalous, or inconclusive effluent (and receiving water) toxicity test measurement results from the TST statistical approach, including those that incorporate a consideration of concentration-response patterns, must be submitted to the Regional Water Board (40 CFR section 122.41(h)). The Regional Water Board will make a final determination as to whether a toxicity test result is valid, and may consult with the Permittee, the USEPA, the State Water Board's Quality Assurance Officer, or the State Water Board's Environmental Laboratory Accreditation Program (ELAP) as needed. The Board may consider the results of any TIE/TRE studies in an enforcement action.

#### **K. Percent Removal**

The average monthly percent removal is the removal efficiency expressed in percentage across a treatment plant for a given pollutant parameter, as determined from the 30-day average values of pollutant concentrations ( $C$  in mg/L) of influent and effluent samples collected at about the same time using the following equation:

$$\text{Percent Removal (\%)} = [1 - (C_{\text{Effluent}}/C_{\text{Influent}})] \times 100\%$$

When preferred, the Permittee may substitute mass loadings and mass emissions for the concentrations.

#### **L. Mass and Concentration Limitations**

Compliance with mass and concentration effluent limitations for the same parameter shall be determined separately with their respective limitations. When the concentration of a constituent in an effluent sample is determined to be ND or DNQ, the corresponding mass emission rate determined from that sample concentration shall also be reported as ND or DNQ.

**M. Compliance with Single Constituent Effluent limitations**

Permittees may be considered out of compliance with the effluent limitation if the concentration of the pollutant (see section B "Multiple Sample Data Reduction" above) in the monitoring sample is greater than the effluent limitation and greater than or equal to the RL.

**N. Compliance with Effluent Limitations Expressed as a Sum of Several Constituents**

Permittees are out of compliance with an effluent limitation which applies to the sum of a group of chemicals (e.g., PCB's) if the sum of the individual pollutant concentrations is greater than the effluent limitation. Individual pollutants of the group will be considered to have a concentration of zero if the constituent is reported as ND or DNQ.

**O. Compliance with Ventura River Nutrients TMDL effluent limitations**

Ojai Valley WWTP discharges to Reach 2 of the Ventura River. The Ventura River Estuary and Reaches 1 and 2 are on the CWA section 303(d) list as impaired for algae and eutrophic conditions. For this discharge, the Ventura River Nutrients TMDL has established seasonal WLAs for TN and TP. Federal regulations require that NPDES permits incorporate WQBELs consistent with the requirements and assumptions of any available WLAs.

The Implementation Plan, on page 10 of Resolution No. R12-011, provided the following procedures on how to implement the WLAs for TN and TP for Ojai Valley WWTP:

**Total Nitrogen (TN)**

The TN WLAs for the Ojai WWTP shall be incorporated into the permit as seasonal numeric effluent limitations. The summer season effluent limitation shall be equal to the summer dry-weather WLA of 8,044 lbs/season. This effluent limitation is applicable from May 1 to September 30. Compliance with the summer final effluent limitation shall be determined by calculating the sum of the products of the monthly average TN concentration, a conversion factor, and the daily flow for each dry-weather day, over the summer season, and is expressed in the formula below:

**TN Compliance**

Summer Season TN Effluent Limitation, lbs/season

$$= \sum (TN * CF * Daily Flow) = lbs/season$$

where;

TN = total nitrogen monthly average concentration, mg/L

CF = 8.34, conversion factor to convert mg/L into lbs/day

Daily flow = effluent daily flow, MGD

Summer season = May 1 to September 30

The Facility is out of compliance for TN when the result above exceeds the summer season effluent limitation of 8,044 lbs.

Winter Season TN Effluent Limitation, mg/L

According to the TMDL, the winter dry-weather WLA and wet-weather WLA were combined into a single concentration-based winter season effluent limitation, calculated as the weighted average of 4 mg/L (the allowable winter dry-weather concentration) and 7.6 (the allowable wet-weather concentration), based on the assumption that there are 178 winter dry-weather

days and 34 wet-weather days in a year. The resulting concentration of 4.6 mg/L has been expressed as a monthly effluent limitation from October 1 to April 30.

Therefore,

Winter Season TN Effluent Limitation, mg/L = 4.6 mg/L as monthly average

where:

Winter season = October 1 – April 30

Compliance with the TN summer and winter season effluent limitations shall apply 12 years after the effective date of the Ventura River Nutrients TMDL. The Ventura River Nutrients TMDL (Resolution No. R12-011) stated on page 10 that the Facility shall attain compliance with the final effluent limitations within 10 years of the effective date of the TMDL. However, this was a typographical error. The correct compliance schedule is within 12 years of the effective date of the TMDL. This correction was reflected in Table 7-35.2, page 16 of Resolution R12-011.

### **Total Phosphorus**

For TP, compliance with the dry-weather WLA-based final effluent limitation shall be determined by calculating the sum of the products of the monthly average TP concentration and the daily flow for each dry-weather day, over an annual period. The dry-weather final effluent limitation shall be equal to the dry-weather WLA of 5,799 lbs/season.

Dry-weather TP Effluent Limitation, lbs/season

$$= \sum (TP * CF * Daily Flow) = lbs/season$$

where;

TP = total phosphorus monthly average concentration, mg/L

CF = 8.34, conversion factor to convert mg/L into lbs/day

Daily flow = effluent daily flow, MGD

Dry-weather = January 1 to December 31 excluding days of wet-weather.

The Facility is out of compliance for TP when the result above exceeds the dry-weather final effluent limitation of 5,799 lbs.

Compliance with the TP dry-weather effluent limitation shall apply on the effective date of this permit.

### **TP Wet-weather Final Effluent Limitation**

The watershed nutrient wet-weather loads are generally delivered directly to the ocean and thus do not contribute to exceedance of the biostimulatory substances objective in the Ventura River or estuary, which occurs during the dry season when algae growth primarily occurs. Nonetheless, to protect water quality year-round, wet-weather WLAs are assigned to meet WQOs and/or maintain existing discharge quality.

The wet-weather final effluent limitation for TP shall apply immediately at the effective date of this permit. Ojai WWTP shall achieve compliance with wet-weather WLAs upon incorporation into the permit. The wet-weather TP final effluent limitation, below, shall be expressed as daily maximum concentration:

Wet-weather TP Final Effluent Limitation = 2.6 mg/L

For the purposes of monitoring, wet-weather occurs when a rainfall event produces more than 0.25 inches of precipitation. The amount of rainfall shall be measured at the Ventura – Kingston Rain Gage D 122.

In order to monitor compliance with the interim limitation for TN and final effluent limitations for TN and TP, the Discharger shall monitor the effluent TN and TP at the frequencies required in Table E-3. The Discharger shall calculate the monthly TN and TP seasonal effluent limitation as discussed above. Each result shall be reported in the monthly report to track progress in achieving compliance with the final effluent limitations.

**P. Compliance with 2,3,7,8-TCDD Equivalents**

TCDD equivalents shall be calculated using the following formula, where the MLs, and toxicity equivalency factors (TEFs) are as provided in the table below. The Permittee shall report all measured values of individual congeners, including data qualifiers. When calculating TCDD equivalents, the Permittee shall set congener concentrations below the minimum levels to zero. USEPA method 1613 may be used to analyze dioxin and furan congeners.

$$\text{Dioxin Concentration} = \sum_{i=1}^{17} (TEQ_i) = \sum_{i=1}^{17} (C_i)(TEF_i)$$

where:

$C_i$  = individual concentration of a dioxin or furan congener

$TEF_i$  = individual TEF for a congener

**MLs and TEFs**

Congeners	MLs (pg/L)	TEFs
2,3,7,8-TetraCDD	10	1.0
1,2,3,7,8-PentaCDD	50	1.0
1,2,3,4,7,8-HexaCDD	50	0.1
1,2,3,6,7,8-HexaCDD	50	0.1
1,2,3,7,8,9-HexaCDD	50	0.1
1,2,3,4,6,7,8-HeptaCDD	50	0.01
OctaCDD	100	0.0001
2,3,7,8-TetraCDF	10	0.1
1,2,3,7,8-PentaCDF	50	0.05
2,3,4,7,8-PentaCDF	50	0.5
1,2,3,4,7,8-HexaCDF	50	0.1
1,2,3,6,7,8-HexaCDF	50	0.1
1,2,3,7,8,9-HexaCDF	50	0.1
2,3,4,6,7,8-HexaCDF	50	0.1
1,2,3,4,6,7,8-HeptaCDFs	50	0.01
1,2,3,4,7,8,9-HeptaCDFs	50	0.01
OctaCDF	100	0.0001

**Q. Compliance with Gross Beta/photon Emitters**

The monthly average effluent limitation for gross beta/photon is equal to 4 millirem/year. If the results of testing for all beta and photon emitters is less than or equal to 50 picoCuries per liter (pCi/L), the facility is in compliance and the value shall be reported as <4 millirem/year. If the test results for all beta and photon emitters are greater than 50 pCi/L, the Permittee must